REMARKS

Claims 18 and 24 are amended herein. Claims 1-27 remain pending in the application.

Objection of Claims 6, 18, 19, 24 and 25

Claims 6, 18, 19, 24 and 25 were objected to under 37 CFR 1.75(c). In particular, claims 6, 19 and 25 were objected to as allegedly being of improper dependent form for failing to further limit subject matter recited in a higher order claim. The Office Action alleges that using a received signal strength indication does not limit the claims further because received signal strength takes into account distance as well as other factors. The Office Action alleges that signal strength is a broader limitation than that of distance of a handset from a base unit. The Applicants respectfully disagree.

Signal strength is a distinct measurement that is dependent on a multitude of factors, **NOT ALWAYS** dependent on distance. For instance, a user can maintaining a constant distance between a transmitter and receiver while walking around a home. Walking around a home introduces such interference as walls, plumbing, electrical wires, etc., **NOT** dependent on distance yet possibly changing signal strength. The Applicants respectfully request the objection of claims 6, 19 and 25 be withdrawn.

Claims 18 and 24 were objected to as allegedly being unclear. Claims 18 and 24 are amended herein. The Applicants respectfully request the objection of claims 18 and 24 be withdrawn.

Claims 1-6, 10-19 and 22-25 over Yamamoto in view of Kato

In the Office Action, claims 1-6, 10-19 and 22-25 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Yamamoto et al., U.S. Patent No. 5,572,575 ("Yamamoto") in view of Kato et al., U.S. Patent No. 3,952,166 ("Kato"). The Applicants respectfully traverse the rejection.

Claims 1-6 and 10-14 recite, *inter alia,* a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path

based on the determined distance. Claims 15-19 and 22-25 recite, *inter alia*, when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit.

Yamamoto appears to disclose, and is relied to only disclose, a cordless telephone system that comprises a base station, a handset unit, and a speakerphone circuit provided in the base station (Abstract).

The Office Action correctly acknowledged that Yamamoto fails to disclose a primary feature of the claimed invention, an audio path attenuation controller comprising a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone (Office Action, page 3). The Office Action relies on Kato to allegedly make up for the deficiencies in Yamamoto to arrive at the claimed invention. The Applicants respectfully disagree.

Kato appears to disclose a loudspeaker telephone circuit where a speech signal is used as a control signal for detecting the extent of decreasing acoustic coupling between a loudspeaker and a microphone of a telephone set (Abstract). A portion of a received signal by a user and a received signal detected by a microphone through an acoustic field are detected for comparing their levels so as to determine the difference of a distance between a loudspeaker and a microphone from that occurring at a worst condition (Kato, col. 3, lines 2-13).

Kato discloses changing an acoustic coupling between a loudspeaker and a microphone based on a distance therebetween. However, Kato fails to disclose or suggest determining a distance between wireless devices, much less between a handset and a base unit of a cordless telephone, as recited by claims 1-6, 10-19 and 22-25.

Moreover, Kato discloses changing acoustic coupling between a loudspeaker and a microphone based on a distance therebetween. Kato fails to disclose effectuating attenuation of an audio path between a handset and a base unit of a cordless telephone, much less based on a distance therebetween, as recited by claims 1-6, 10-19 and 22-25.

Moreover, Yamamoto fails to disclose or suggest any need to determine a distance between a handset and a base unit of a cordless telephone, since adding such capability to Yamamoto would completely change Yamamoto's invention to one not envisioned by either Yamamoto and Kato. The Examiner is using improper hindsight.

Neither Yamamoto nor Kato, either alone or in combination, disclose, teach or suggest a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path based on the determined distance, and when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit, as recited by claims 1-6, 10-19 and 22-25.

Accordingly, for at least all the above reasons, claims 1-6, 10-19 and 22-25 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 7, 20 and 26 over Yamamoto in view of Kato and Ravi

In the Office Action, claims 7, 20 and 26 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Yamamoto in view of Kato, and further in view of Ravi et al., U.S. Patent No. 6,560,462 ("Ravi"). The Applicants respectfully traverse the rejection.

Claims 7, 20 and 26 are dependent on claims 1, 15 and 22 respectively, and are allowable for at least the same reasons as claims 1, 15 and 22.

Claim 7 recites, *inter alia,* a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path based on the determined distance. Claims 20 and 26 recite, *inter alia*, when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit.

As discussed above, neither Yamamoto nor Kato, either alone or in combination, disclose, teach or suggest a proximity determinator to determine a

distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path based on the determined distance, and when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit, as recited by claims 7, 20 and 26.

The Office Action relies on Ravi to allegedly make up for the deficiencies in Yamamoto and Kato to arrive at the claimed invention. The Applicants respectfully disagree.

Ravi appears to disclose a mobile station locating system for use in a wireless network comprising a group of base stations that communiate with mobile stations (Abstract). To calculate the distance to a mobile station that has made and emergency call, a data processor transmits a position locator message (Ravi, col. 6, lines 57-59). A message is transmitted back to the data processor an acknowledgement message (Ravi, col. 6, lines 59-62). A timer calculates the round trip delay from the transmission of a position locator message to determine a distance (Ravi, col. 6, lines 62-65).

Ravi discloses a method of finding a distance between a mobile station and a base station in a cellular system. Ravi fails to disclose or suggest finding a distance between a handset and a base unit of a cordless telephone, much less basing attenuation on such a wireless distance, as recited by claims 7, 20 and 26.

Neither Yamamoto, Kato nor Ravi, either alone or in combination, disclose, teach or suggest a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path based on the determined distance, and when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit, as recited by claims 7, 20 and 26.

Accordingly, for at least all the above reasons, claims 7, 20 and 26 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 8, 9, 21 and 27 over Yamamoto in view of Kato and Ayoub

In the Office Action, claims 8, 9, 21 and 27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Yamamoto in view of Kato, and further in view of Ayoub et al., U.S. Patent No. 6,477,363 ("Ayoub"). The Applicants respectfully traverse the rejection.

Claims 8, 9, 21 and 27 are dependent on claims 1, 15 and 22 respectively, and are allowable for at least the same reasons as claims 1, 15 and 22.

Claims 8 and 9 recite, *inter alia,* a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path based on the determined distance. Claims 21 and 27 recite, *inter alia*, when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit.

As discussed above, neither Yamamoto nor Kato, either alone or in combination, disclose, teach or suggest a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path based on the determined distance, and when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit, as recited by claims 8, 9, 21 and 27.

The Office Action relies on Ayoub to allegedly make up for the deficiencies in Yamamoto and Kato to arrive at the claimed invention. The Applicants respectfully disagree.

Ayoub appears to disclose a system and method for communicating the location of an emergency caller through a telephone network (Abstract). The mobile phone has a built in means for obtaining its position using GPS (Ayoub, col. 4, lines 2-19).

Ayoub uses GPS to determine the location of a telephone making an emergency call. Ayoub fails to use GPS to determine a distance between the telephone and any other object. Ayoub fails to disclose or suggest finding a distance between a handset and a base unit of a cordless telephone, much less

basing attenuation on such a wireless distance, as recited by claims 8, 9, 21 and 27.

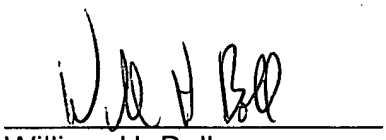
Neither Yamamoto, Kato nor Ayoub, either alone or in combination, disclose, teach or suggest a proximity determinator to determine a distance between a handset of a cordless telephone and a base unit of the cordless telephone, and to effectuate a given attenuation of an audio path based on the determined distance, and when a handset is within a predetermined close distance to a base unit, attenuating at least one audio path between the handset and the base unit, as recited by claims 8, 9, 21 and 27.

Accordingly, for at least all the above reasons, claims 8, 9, 21 and 27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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